

14-21 - INFORMATION & SCOPING MEETING - BAUDETTE

JULY 16, 2014 - 6:00 P.M.

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION,

MINNESOTA DEPARTMENT OF COMMERCE,

U.S. DEPARTMENT OF ENERGY

In the Matter of the Application of Minnesota Power for a
Route Permit for the Great Northern High-Voltage
Transmission Line Project from Manitoba, Canada -
Minnesota Border to the Blackberry Substation near Grand
Rapids, Minnesota

PUC DOCKET NO. E-015/TL-14-21

Lake of the Woods School
236 15th Avenue SW
Baudette, Minnesota

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I N D E X

SPEAKER	PAGE
Tracy Smetana	3
Julie Ann Smith	18
David Moeller	25
David Leonhardt	50
Dick Myers	59
Thomas Beadle	61
Ross Dally	66

1 MS. TRACY SMETANA: Good evening,
2 everyone, and welcome.

3 This is the second in a series of public
4 information and scoping meetings that we'll be
5 holding regarding Minnesota Power's proposed Great
6 Northern Transmission Line Project.

7 On this cover slide I included what we
8 call our docket number. That's sort of the key to
9 finding information at the Public Utilities
10 Commission. You see it's E-015/TL-14-21. So when
11 you're communicating with folks, you're looking for
12 information about the project, that's sort of the
13 key to finding things with our office.

14 We'll just go over the agenda briefly.
15 First we're going to talk about the route permit
16 roles and process. I'm Tracy with the Minnesota
17 Public Utilities Commission, I'll kick things off
18 for us. Then we'll transition over to the U.S.
19 Department of Energy. They play a role in this
20 project as well. We'll ask Minnesota Power to
21 provide us with a summary of their proposed project.
22 And then the main event for tonight is talking about
23 the environmental review, and both the Department of
24 Commerce and the Department of Energy will play a
25 role in that part of the presentation. And, of

1 course, the main reason we're here is to receive
2 your comments and feedback on the project.

3 So first off I'd like to start with just
4 a little information about who is the Public
5 Utilities Commission. I know for me, until I
6 applied for a job with the Public Utilities
7 Commission, I had no idea such an agency existed,
8 didn't know who they were or what they did. We
9 regulate permitting for power plants, pipelines,
10 transmission lines. We also deal with local and
11 in-state long-distance telephone companies,
12 investor-owned electric and natural gas utilities,
13 their services, and rates.

14 We have five commissioners that are
15 appointed by the governor. They serve staggered
16 terms so they don't all come in and go out at the
17 same time. And they're full-time employees at the
18 Commission. So it's not like a small-town city
19 council where they might show up for a couple
20 meetings a month and that's the extent of their
21 duties. The Public Utilities Commissioners are
22 full-time employees at the Commission. And then we
23 have about 50 staff that assist them in doing the
24 work of regulating these industries.

25 So a little bit about who's who in this

1 route permit process. First off we have the
2 applicant. That's the term that we use for the
3 company that's asking for the route permit. So in
4 this case the applicant is Minnesota Power. So
5 quite often you might hear folks that work in this
6 field refer to the applicant and that's who they're
7 talking about, the company.

8 We also have the Department of Commerce,
9 Energy Environmental Review and Analysis, which you
10 might see abbreviated as EERA. And their job in
11 this process is to conduct the environmental review
12 and they're a state agency.

13 We also have the Office of Administrative
14 Hearings. Again, another abbreviation for you, OAH.
15 They'll be involved a little bit later in the
16 process. There will be an administrative law judge
17 that holds public hearings back out in these
18 communities again to gather your input on the
19 project. We'll also hold what we call evidentiary
20 hearings, where it's kind of like a trial or a court
21 setting where folks are sworn in and tell the truth
22 and all of that stuff. People can cross-examine
23 witnesses and so on. And the idea is for the judge
24 to gather all of the facts in the case. And
25 ultimately the judge will collect all of that

1 information and write a report with some
2 recommendations for the Public Utilities Commission.

3 Then we have the Office of Electricity
4 Delivery and Energy Reliability with the U.S.
5 Department of Energy. And their job is to lead the
6 environmental, historic, and cultural resource
7 reviews and consultations for the presidential
8 permit application in this case.

9 And then at the Public Utilities
10 Commission, I've already given you a little
11 information about who we are, but there's two folks
12 from our agency that you might interact with as part
13 of this process. The first is the energy facilities
14 planner, and their job is to assist in building the
15 record, kind of on the technical side, they are more
16 of our technical staff. They provide the
17 Commissioners with information on the impacts of
18 various alternatives that could come out of this
19 process.

20 Staff at the Commission are neutral,
21 we're not advocating for one party or one position.
22 You know, you can't come to us and say, hey, help me
23 get what I want in this process. That's not our job
24 to do that. We can give you information about the
25 process and then you need to take those facts and do

1 what you need to do with them.

2 Also, the public advisor, that's me. My
3 job is to work with folks and help them figure out
4 the process, where you plug in, when you plug in,
5 how you can participate and add your input to the
6 process. And, again, I'm neutral, I don't give
7 legal advice, I don't advocate on anyone's behalf.

8 So why is the Public Utilities Commission
9 involved in this process in the first place? We
10 talked about the Commission having authority over
11 permitting for transmission lines and other energy
12 facility projects. This particular project is
13 considered a high-voltage transmission line because
14 of its size and length. It will operate at 100
15 kilovolts, which you might see abbreviated as kV
16 like I've done here, or more, and it's greater than
17 1,500 feet in length. If that's true, then the
18 statutes and rules say that the company needs a
19 route permit before they can build it. And I've
20 referenced the appropriate statutes and rules, in
21 case you're looking for some really interesting
22 bedtime reading, you can look those up.

23 Now, the other side of this process is
24 what we call a certificate of need. So that answers
25 the question is the project needed. And this

1 project needs a certificate of need because the
2 statutes and rules call it a large energy facility.
3 And, again, it's because of the capacity and the
4 length of this particular project. That's handled
5 in a separate process. We're not going to talk
6 about the question of need here tonight, but I just
7 wanted to let folks know that that's out there as
8 well. It's sort of a two-part process, is the
9 project needed, and if it is, where is it going to
10 go. So we're talking about the where is it going to
11 go side tonight, okay.

12 So how does the Public Utilities
13 Commission make a decision on this route question?
14 Where is it going to go if it's needed? These are
15 some of the factors that the Commission is required
16 to consider.

17 Now, when you look at this list,
18 everybody in the room is going to have some
19 different ideas about which things might be most
20 important. And it's up to the Commissioners to
21 decide how to sort of rank these things and sort of
22 haggle over which things take priority over another.
23 The rules don't tell them, you know, human
24 settlement is the most important factor that you
25 have to consider, everything else is secondary. So

1 there's a lot of debate that happens about these
2 factors. So, again, human settlement is one, public
3 health and safety is another, the economy,
4 archaeological and historic resources, the natural
5 environment, which we're going to talk a little bit
6 more about later.

7 We also want to do things to maximize
8 efficiency, allow for any future expansion that
9 might be coming down the road. If there's existing
10 rights-of-way that make sense, we want to have the
11 company look at that as an option as well. Also,
12 using natural boundaries, field lines, those types
13 of things. Electrical system reliability is
14 obviously important. When we flip the switch we
15 want the lights to go on, right, so we have to
16 consider that. Also, we want to look at the costs
17 to construct and operate and maintain the line.

18 So in the end, after this process
19 concludes, if the Commission does issue a route
20 permit these are some of the things that you might
21 see in it. So the permitted route is the location
22 of the line between point A and point B. And
23 there's going to be a width that's going to vary
24 along that route, and it could be as wide as one and
25 a quarter miles. And the reason for that is to

1 allow some flexibility. You know, someone's got a
2 building and they want something shifted one way or
3 another to avoid that, then you'll have some
4 flexibility to work with the company to address
5 those concerns.

6 Now, it's going to get smaller as we go
7 down the page here. The next item is the
8 right-of-way, and that's the actual land needed
9 within the route for construction. So you've got
10 this big, wide route and then you narrow it down to
11 the right-of-way. And then from there you get
12 smaller yet in what we call the anticipated
13 alignment. So in the very end, if a route permit is
14 issued, the company will provide some information
15 that says we think this is exactly where this line
16 is going to go, where the poles are going to go,
17 where the line is going to go and so on. And note
18 that I call it anticipated, because until it's out
19 in the ground, you know, we don't know exactly where
20 it's going to end up. It allows the company some
21 flexibility.

22 If a route permit is issued, some of the
23 concerns that folks have do deal with the easement.
24 There is a handout in the back that I'm guessing
25 most of you grabbed that addresses that in a little

1 bit more detail. And I just want to highlight a
2 couple points about it. Again, I'm not an attorney,
3 I can't give you legal advice, but I just want to
4 tell you this information is out there and these are
5 some terms you might hear. So if you have further
6 interest you might want to do some more research on
7 those points. So an easement would be something
8 negotiated between a landowner and the company when
9 it comes to where that line is going to be placed.

10 If a route permit is issued, the company
11 would also have the power to use eminent domain, to
12 take land in a case where the landowner and the
13 company can't come to an agreement. And then it's
14 up to the courts to sort of sort that out and
15 there's a whole legal process. Again, I'm not going
16 to talk about the legal stuff, I just want to let
17 you know these things are out there.

18 There is also a provision that some folks
19 may have heard of called Buy the Farm. There's a
20 statute that talks about the details of how that
21 works. And, basically, what that says is that in
22 some cases the landowner can require the applicant
23 to purchase the property if it fits into one of
24 these classifications: Residential, agricultural,
25 or seasonal residential recreational. So if you

1 have property that falls into one of those
2 categories, there's a possibility that it would meet
3 the criteria under this Buy the Farm. I'm not going
4 to spend a lot of time talking about that. There's
5 a handout in the back that goes into a little more
6 detail, and certainly there are some other resources
7 if you want more information about that.

8 Next I have sort of a high level view of
9 what happens throughout this process and what it
10 looks like. So you see up at the top that first box
11 says application accepted. And actually what
12 happens before that is the application is submitted,
13 okay. And when we say application accepted, it
14 doesn't mean we think it's good to go, it's all set,
15 because you can see it's the very first box, right.
16 Application accepted simply means everything that we
17 need is in the application to move forward and start
18 that review process. And so that's what we're
19 really starting tonight by asking you folks to weigh
20 in on the environmental aspects.

21 And so you can see that second box, which
22 says public information and scoping meetings, that's
23 where we are today, okay. You can see there's a lot
24 of other boxes that we have to get through before we
25 get down to the end on a decision on that route

1 permit.

2 We'll have -- and I'm not going to steal
3 Bill's thunder on the environmental side, but those
4 are the parts that the Department of Commerce
5 participates in. Once their draft environmental
6 impact statement is completed, the judge that I
7 mentioned earlier will come back out and do some
8 public hearings and talk about what your thoughts
9 are on the routes that are on the table at that
10 point in time and the project in general.

11 As I mentioned, the judge will also hold
12 these evidentiary proceedings, sort of like a court
13 proceeding. And then the judge will issue a report
14 that provides some recommendations about the project
15 and ultimately the Public Utilities Commission will
16 make a decision.

17 Now, in this case we're anticipating that
18 from this top box, accepted, down to decision, is
19 approximately 15 to 18 months. So you can see we're
20 very early on in the process at this point. There's
21 a lot of information that we need to sort through
22 before any decisions are made. And your help is
23 very important in that process.

24 So if you like a list instead of a
25 picture, this slide is the one that you'll want to

1 look at. You can see the application was filed in
2 March, the Commission said it was accepted, we've
3 got everything we need to move forward and start
4 reviewing it in June. Now here we are in July with
5 the public information and scoping meetings, and
6 then we'll move through the rest of that process
7 with anticipating a decision on the route permit in
8 October of 2015. So, like I said, we've got a long
9 way to go, we're very early on in the process and we
10 certainly do appreciate your help in getting there.

11 So one of the ways that folks can weigh
12 in, besides coming to meetings like this, is to
13 submit written comments. And so the Commission
14 periodically will have an open comment period on
15 various topics. And you can see this is an old one
16 back from April, but I wanted to put it up here just
17 as an example so I can point out the key elements.
18 If you happen to get one of these in the mail or you
19 see it on the website, you'll kind of know what am I
20 supposed to do with this.

21 So first off, here is that docket number
22 again. That's the key to finding anything with the
23 Public Utilities Commission. All of our stuff is
24 filed off of that docket number. So that's
25 important to note.

1 The next thing you want to pay attention
2 to is the comment period. What's going to happen
3 throughout the process is we're going to have a
4 variety of questions and answers that we're looking
5 for. And so you can see back in April and May we
6 were looking for questions right here. These are
7 the topics actually open for comment. And so it's
8 really important when we say, hey, we want to know,
9 should an advisory task force be appointed, the time
10 to weigh in on that question was back in April and
11 May. If somebody comes to us with an idea about
12 that now, it's too late to consider that idea
13 because we've already moved on from that part of the
14 process. And so it's really important when you're
15 looking at one of these notices that you pay
16 attention to the deadlines and also what are those
17 topics that we're looking for answers to right now.

18 So you might be thinking, hmm, this is
19 all really good stuff, but I want to stay in touch
20 with this, I want to find out more. Maybe this is
21 the first meeting or interaction I've had with this
22 project and I want to learn what I've missed so far.
23 So there's some ways you can do that. You can see
24 all documents related to this project, everything
25 that comes in to the Public Utilities Commission in

1 this process goes into what we call our eDocket
2 system. It's an electronic filing system and it's
3 on the Internet. So anybody can go out there and
4 take a look at the documents that are in this case.
5 I've outlined the steps here and I've included the
6 docket number for both the route permit, which is
7 what we're talking about today, and also that
8 question of need, the certificate of need. So you
9 can just follow those steps and it'll bring up a
10 list of all the documents.

11 I know a number of you as you came in saw
12 the orange cards and I think most or all of you said
13 you were already on the mailing list, but if you're
14 not and you want to be added to the project's
15 mailing list to get information about future
16 meetings or comment periods or when the
17 environmental impact statement is available, you can
18 sign up for this project mailing list.

19 We also have an e-mail subscription
20 service where you would get an e-mail every time
21 something new comes in. Now, for some folks, if
22 you're not a real e-mail fan, this might be a little
23 too much e-mail for you. So in that case I would
24 recommend the project mailing list where you'll get
25 kind of the high points of opportunities to weigh in

1 on various things. But if you're saying, yep, I
2 like my e-mail and I want to get everything, I don't
3 want to miss a word, then subscribing to the e-mail
4 service is for you.

5 And I just wanted to give you the
6 screenshot of what that page looks like when you go
7 to subscribe. Because a lot of people say, oh, it's
8 not very user-friendly, I'm not sure what to put in
9 here. So if you follow this guide you'll know
10 exactly what to put into the boxes when that screen
11 comes up and then once you say save and accept that,
12 then you'll be added to that subscription list and
13 you'll start getting e-mails when something new
14 comes in in this case.

15 And as I mentioned, at the Public
16 Utilities Commission there are two folks that you
17 might interact with. The first is me, I'm Tracy,
18 I'm the public advisor. And my counterpart in this
19 project is Mike Kaluzniak and he's also here this
20 evening. As I said, he deals with more of the
21 technical aspects, so if you have those types of
22 questions he's certainly available to help you with
23 that.

24 And, with that, I am going to turn it
25 over to Julie Smith with the Department of Energy.

1 DR. JULIE ANN SMITH: Hello. Good
2 evening. My name is Julie Ann Smith, I work for the
3 United States Department of Energy, and I'm with the
4 Office of Electricity Delivery and Energy
5 Reliability.

6 I also want to express our heartfelt
7 thanks to you for taking time out of your schedules
8 to come and attend this meeting today. Your
9 presence and input are absolutely vital to the
10 robust public participation process that is so
11 important to assessing environmental impacts.

12 This for us is also a scoping meeting,
13 which is all about me, or DOE, listening to you
14 about issues related to the project. The Department
15 of Energy needs to hear what you think should be
16 considered in conducting our environmental analysis.

17 The reason that we are here today is that
18 Minnesota Power is proposing to construct the Great
19 Northern Transmission Line Project, or Great
20 Northern, an international transmission line, and
21 has asked the Department of Energy for a permit to
22 cross the U.S./Canadian border. Minnesota Power
23 submitted their presidential permit application to
24 the Department of Energy in April of 2014.

25 Before any electric transmission facility

1 can be built across the U.S. international border,
2 the project proponent or applicant must obtain a
3 presidential permit from DOE. A DOE presidential
4 permit authorizes the company to construct, operate,
5 maintain, and connect electric transmission
6 facilities at the border.

7 The Department of Energy is involved in
8 this proceeding for one reason only. The proposed
9 transmission line would cross the international
10 border. If this line did not cross the border, the
11 Department of Energy would not be here today.

12 The Department of Energy has no authority
13 to site this line, only the State of Minnesota,
14 specifically the Minnesota Public Utilities
15 Commission, has that authority. The DOE does not
16 convey the right of eminent domain in this
17 presidential permit, nor can the DOE address issues
18 of compensation for land that would be impacted by
19 the Great Northern project.

20 Before the Department of Energy can issue
21 this kind of permit, we must comply with the
22 National Environmental Policy Act, or NEPA. NEPA is
23 essentially the federal law that serves as the
24 nation's charter for environmental protection. It
25 requires that all agencies consider the potential

1 environmental impacts of their proposed actions.

2 NEPA is based on a set of principles, the
3 first being full disclosure and public participation
4 that enhances understanding not only on your part of
5 the project, but also on our part of what is
6 important on this project to you as well as local
7 knowledge. And basically that's why we are here
8 today.

9 A second principle is that we need to
10 explore alternatives to the action, and that
11 includes the no-action alternative, which means that
12 a presidential permit would not be issued for the
13 project.

14 We also need to assess all of the
15 potential impacts across these projects on an equal
16 level and with rigor. We have to consider
17 mitigation or ways to reduce or avoid impacts and
18 weigh options and explain those decisions.

19 NEPA essentially promotes better informed
20 agency decision-making and provides you, the public,
21 with the opportunity to learn about the federal
22 agencies' proposed actions, and to provide timely
23 information and comments on federal proposed
24 actions.

25 In terms of process, NEPA has been

1 referred to as an umbrella statute, in that it
2 allows agencies and developers to use one process to
3 comply with numerous environmental, health and
4 safety related laws for which we are responsible.
5 We analyze potential effects for federal agency
6 actions to numerous resource types, whether that be
7 water, biological resources, and include other human
8 issues such as environmental justice or safety
9 concerns. And this all happens in one analytical
10 document.

11 For this proposed project, the DOE has
12 also determined that the appropriate level of NEPA
13 analysis would be an environmental impact statement,
14 or EIS. An EIS essentially tells the story of the
15 proposed project. The Great Northern EIS will
16 analyze the foreseeable environmental impacts that
17 might flow from DOE granting the presidential
18 permit. The EIS will also identify steps that need
19 to be -- that might be needed to mitigate
20 environmental impacts.

21 Other federal agencies are involved in
22 environmental review often with DOE. For the Great
23 Northern EIS there is the U.S. Army Corps of
24 Engineers, St. Paul District, and U.S. Fish and
25 Wildlife Service. These agencies have permitting or

1 oversight authority for proposed facilities within
2 their respective jurisdictions. And the Army Corps
3 of Engineers is a cooperating agency to the
4 Department of Energy for the preparation of this
5 environmental impact statement.

6 So as you see from this process outline
7 of the NEPA process, we are at scoping, the blue
8 circle. That means we are here to listen and to get
9 your comments and suggestions for issues and other
10 items that we should be addressing in the EIS. We
11 would also like to know any alternative routes for
12 proposed projects. And Bill will be speaking to
13 that in a little bit more detail after my
14 presentation.

15 Once the scoping period closes -- the
16 federal scoping period closes on August 11th,
17 2014 -- we will get to work on preparing the draft
18 EIS. That will take us several months. Once the
19 draft is completed, it will be posted on our website
20 and distributed to everyone on the mailing list for
21 the project. If you want to be on the mailing list,
22 as Tracy pointed out, if you're not already, you can
23 sign up at the table by the door or you can sign up
24 using the various websites. There will be two
25 websites -- well, three, but we also have a website

1 established for this project.

2 At the draft environmental impact
3 statement stage, we'll make that publicly available
4 and there will be at least a 45-day comment period
5 for you to review that draft EIS and submit
6 comments. During the comment period on the draft
7 EIS, you'll be able to submit comments in writing or
8 by e-mail. We will also be coming back to Minnesota
9 to hold a series of public hearings to receive your
10 oral comments on that draft EIS as well.

11 After the close of the comment period on
12 the draft EIS, we will prepare the final EIS. Every
13 comment that we receive on the draft EIS will be
14 included in the final EIS and we will respond to
15 each comment in the document. When the final EIS is
16 completed, it will be sent again to everyone on the
17 mailing list and posted on our website. By law, the
18 Department of Energy may not make a final decision
19 on the Great Northern Transmission Line presidential
20 permit obligation until at least 30 days after
21 publication of the EIS. And at that point we would
22 issue the bottom box called the record of decision.

23 At the completion of the EIS process, the
24 Department of Energy may or may not issue the
25 presidential permit. If the Department of Energy

1 were to issue the presidential permit, the
2 transmission line and associated facilities could
3 not be built unless and until all other state,
4 local, and federal permits are obtained.

5 For this meeting you'll see that we have
6 a stenographer here to write down your comments and
7 what you say so that we get those accurately.
8 Whether or not you choose to speak, you are invited
9 to send us written comments. All comments, whether
10 written or oral, are treated the same and have equal
11 weight. We will accept comments technically until
12 August 11th, but we do consider comments submitted
13 after that date to the extent that we can.

14 If you have any specific questions about
15 the project itself or the details of the project, as
16 you see, the applicant, Minnesota Power and their
17 staff are here to discuss them with you. For
18 example, they have the mapping station set up, they
19 can talk about tower design, talk about how the
20 alternatives were developed in a little bit more
21 detail perhaps than what you hear tonight in the
22 presentations.

23 And in closing, again, here's a little
24 bit of information about how to make scoping
25 comments. You can submit scoping comments directly

1 to the Department of Energy. You can do those via
2 our website, the project EIS website,
3 www.greatnorthernEIS.org. Written comments can be
4 sent to me, e-mailed, or if you have any questions
5 or comments you can call me directly.

6 Once again, thank you very much for
7 coming tonight.

8 MR. DAVID MOELLER: Good evening. My
9 name is David Moeller, I'm an attorney at Minnesota
10 Power based in Duluth, Minnesota.

11 We have other people from Minnesota Power
12 and other experts here with us, including Jim
13 Atkinson, who you've probably met with on different
14 aspects of the routing or different open houses and
15 so forth that we'll talk about in a second in our
16 presentation.

17 I just wanted to briefly go through kind
18 of the project, kind of the purpose of the project,
19 and a little bit on what we've done for outreach
20 prior to the official process that we're here for
21 tonight.

22 I also thank you for coming. As both
23 Julie and Tracy said, this is an important part of
24 the process and so we appreciate that.

25 We also, as Julie mentioned, there's a

1 mapping station over here that, after the comments,
2 you can get maps of if you have a spot that you want
3 to see more detail on, we can provide that. Or if
4 you want to look at different alternatives, you can
5 ask people to help you with that as well. So feel
6 free to use that resource at the conclusion of this
7 hearing.

8 The first slide. Just briefly, Minnesota
9 Power sees this project not just as a transmission
10 line, but as a way to transform our nation's energy
11 sector and energy supply. This is a new, big
12 development for Minnesota Power to bring in hydro
13 energy from Manitoba Hydro. And you can see this is
14 transforming both us as a company but also the
15 Midwest as far as how we generate and produce
16 energy.

17 For Minnesota Power, the Great Northern
18 Transmission Line is part of a larger plan. Every
19 couple years we have to file a resource plan with
20 the Public Utilities Commission, and we filed the
21 Great Northern Transmission Line as part of our most
22 recent plan that was approved last year by the PUC.
23 And it's also part of a larger plan for Minnesota
24 Power to diversify our energy resources. When I
25 started at the company in 2005, we were about a 95

1 percent coal company. And our goal long term is to
2 get to a third coal, a third natural gas in
3 purchases, and a third renewables, which we include
4 Manitoba Hydro or hydro energy in that mix. So
5 we're not there yet, but we're trying to get to
6 that, and then also have other benefits as the slide
7 talks about.

8 For Minnesota Power, which is a utility
9 based in Duluth, Minnesota, we don't serve this
10 area, but we do serve most of Duluth, the Iron
11 Range, other parts of northern and a little bit in
12 central Minnesota. And we're not a large utility,
13 but this is an important aspect or an important
14 component of where we're going as a utility.

15 As I said, you know, we're trying to
16 diversify our fuel supply. That's one of the main
17 drivers for this project, providing access to
18 reliable energy for Minnesota Power's customers, as
19 well as for the region. So it's not just Minnesota
20 Power's customers, but other customers, other
21 utilities that would buy Manitoba Hydro and would
22 have access would use this transmission line.

23 We also see increased demand in northern
24 Minnesota, especially along the Iron Range with the
25 growth of different mining -- ferrous and nonferrous

1 mining opportunities there. And we'll need to serve
2 that increased demand.

3 Finally, the new line would provide
4 reliability. As Tracy said, we want to make sure
5 the lights are on. This provides additional
6 reliability, especially between Manitoba and
7 Minnesota, to have a large interconnection between
8 the two systems, two very important systems that
9 help the whole region -- help the region as a whole.

10 After we've kind of looked through the
11 purpose and as we've created the project, or looked
12 through developing the project, we've developed a
13 siting and permitting strategy. And I won't go
14 through the whole list, but basically we had to
15 chart a path to get where we are today, look at
16 different options, you know, what could go wrong,
17 where can we go for the project, to find where is
18 the possibilities to get from Manitoba to Minnesota
19 Power's served territory.

20 We came out to you as stakeholders and
21 engaged stakeholders many times to look at the
22 alternatives, and then finally, as Julie and Tracy
23 mentioned, we applied for permits. We applied for
24 both the state route permit and the federal
25 presidential permit on April 14, 2014.

1 When we were looking at how we were
2 developing the project, we had to look at both
3 opportunities and constraints as we looked,
4 especially on routing. As you can see, this list is
5 too small to read, but there's a lot more
6 constraints than there were opportunities.
7 Opportunities are places where there's existing
8 corridors, existing transmission lines, other places
9 that make sense to follow, if possible. Constraints
10 are everything from different environmental and
11 scenic and natural areas where either we can't go or
12 it's difficult to go, or other features that we
13 start to have in routing and siting a transmission
14 line.

15 As I said, we've gone through multiple
16 rounds of stakeholder outreach including in this
17 room a couple times, and we've had other meetings
18 throughout Northern Minnesota and throughout the
19 study area.

20 I'll page through these quick. So we've
21 done multiple rounds, and there's the locations
22 where we were at. And each time we went through
23 rounds we took the input that agencies and
24 landowners and other stakeholders provided to narrow
25 the options or narrow the corridor and eventually to

1 come up with route alternatives.

2 One note on this one, too. In addition,
3 as we were going through the route alternatives, we
4 determined that we needed to look at other
5 additional options along the border, and so we did
6 another round of options, or another round of open
7 houses in this area.

8 And then ultimately we came up with route
9 alternatives, both the preferred and alternative
10 route. Under statute. We have to provide two route
11 alternatives, and so we see the blue and the orange
12 lines. That's how they're named or how they're
13 titled. Our preferred route is the blue line, those
14 are areas where it's a common corridor between the
15 blue and the orange, and they both follow existing
16 lines for parts of the alternatives.

17 I think Tracy talked about what is a
18 right-of-way and what are easements, and really we
19 started with a large study area, over 19,000 miles.
20 We've narrowed it down to corridors, about 7,900
21 miles total, and then we came with route options and
22 route alternatives. And eventually when the project
23 is built, the right-of-way for this project, which
24 will be about 200 feet of right-of-way, will
25 encompass eight areas -- eight miles, eight square

1 miles.

2 This is a quick list of all the different
3 open houses and meetings that we've had and all the
4 different comments we've received both in person and
5 online from various stakeholders. And then we were
6 up here in February for the certificate of need
7 scoping hearings, I wasn't here in Baudette that
8 night in February, to give comments on the --
9 scoping comments on the certificate of need that the
10 Department of Commerce can put together a report
11 that Bill will talk about.

12 And the last slide for us, besides the
13 route permit and the presidential permit that we're
14 here tonight about, we also need other permits.
15 Tracy talked about how we need a certificate of need
16 for this project and we're going through that
17 process as well. It's basically a parallel path, a
18 slightly different schedule, but we're going through
19 that process to have the Commission determine
20 whether the project is needed.

21 And we also need a section 404 permit
22 under the Clean Water Act from the Army Corps of
23 Engineers because of the wetland impacts on the
24 project. And we'll need a license from the
25 Department of Natural Resources because of the state

1 lands we're crossing is such a large component of
2 the route alternative goes through state lands, so
3 we'll need a license from the DNR for that.

4 We'd be happy to answer questions, if you
5 have other questions, or after the hearing we will
6 be happy to talk to you about different routes or
7 maps, as I said earlier. And Jim is also available,
8 too, if you have questions.

9 Thank you.

10 MR. BILL STORM: Okay. Good evening,
11 folks. My name is Bill Storm. You may remember me
12 from the road trip we did up here on the certificate
13 of need docket process that we did.

14 I work with the Department of Commerce in
15 these large energy projects where the Public
16 Utilities Commission has the final say on whether to
17 grant a route, where the route should be, and what
18 conditions should be on that route. The Department
19 of Commerce, my group, does the environmental
20 review. That's required by law to do that. In this
21 case, the environmental review is the environmental
22 impact statement.

23 Since there is an international border
24 crossing, as Julie said, the DOE also has to do an
25 environmental impact statement for this project

1 because of the federal action. To reduce
2 redundancy, Julie's group, the DOE, and my group,
3 the DOC, are going to produce one document, one
4 environmental impact statement that covers the
5 responsibilities for both agencies.

6 Before I go further, I just want to point
7 out, it's probably been done, but the things on the
8 table as you came in. The orange card, if you want
9 to be on the project mailing list and get mailings.
10 The green card if you know you want to speak on the
11 record tonight, I'll be calling people after my
12 presentation on that card. An example or copies of
13 the slides that were presented tonight. A blank
14 comment sheet. If you don't feel that comfortable
15 talking in front of people, you don't want to talk
16 in front of the court reporter or me or whoever else
17 is here, you can certainly fill out one of these
18 blank forms. You can give it to me at the end of
19 the evening or you can mail it to me, my address
20 information is on the bottom.

21 There's a fact sheet on easements and
22 right-of-ways that the Department of Commerce put
23 together to help explain to landowners what an
24 easement is, what a right-of-way is, and Tracy
25 certainly covered that adequately.

1 The important document that was on the
2 table from my standpoint is the draft scoping
3 document. As I said, the Department of Commerce,
4 we're responsible for the environmental review,
5 which will be an environmental impact statement for
6 this project. The first step in that environmental
7 review is to scope the environmental document. And
8 when you think about scoping, think about a table of
9 contents. And this document here explains what
10 environmental review is, but it also lays out a
11 broad table of contents, a broad scope of what I
12 think the general areas that should be covered in
13 the EIS and what I'm seeking from the public from
14 tonight, from the rest of this week and next week
15 and during the comment period is to help me fill in
16 the details of those broad categories. And I'll
17 come back to this as we move forward.

18 The schedule, everybody sort of hammered
19 you on the schedule already, you know where we're
20 at, we're at the public meeting. Following the
21 public meeting and following the comment period, I
22 will recommend a scope to my commissioner. And I'll
23 take all the comments I get tonight on issues,
24 concerns, and alternative routes that the public
25 would like me to cover in my environmental impact

1 statement, and I will review them and come up with a
2 recommendation for my commissioner on what the
3 scope, what the table of contents should be, what
4 will be covered in the environmental impact
5 statement. So that will be the next step.

6 Following that will be the draft EIS. We
7 will come back up here for public meetings so you
8 guys can comment on the draft EIS, and then we use
9 those comments to make the final EIS.

10 Move through a contested case hearing and
11 then on to the final decision. The final decision
12 that the PUC will be making in this docket is, one,
13 is the environmental impact statement adequate.
14 That means does it address adequately the concerns
15 that were laid out in the scoping decision. Two,
16 should a route permit be issued. Three, where
17 should the route go and what conditions should be
18 assigned to that permit.

19 In Minnesota, for large energy projects,
20 there are two processes that a project can go under
21 depending on its size. Since this is a fairly large
22 project, it has to go under the full process, which
23 is the longer, year-long plus three-month process.
24 This process includes public scoping and meeting, a
25 comment period, that's what we're doing tonight. A

1 scoping decision, as I just said, is the
2 commissioner of the Department of Commerce who
3 determines what the scope of the environmental
4 impact statement should be, basically what the
5 content of that document should be.

6 Once the scoping decision comes out the
7 door we start preparing the draft environmental
8 impact statement. The environmental impact
9 statement is released. There are a series of public
10 meetings and comment periods, just like we're doing
11 tonight, on the draft environmental impact statement
12 to get your comments on the impact statement. Your
13 comments may be, Bill, I made a comment and you
14 didn't cover it. Or your comment may be, Bill, I
15 made a comment but I don't think you fleshed it out
16 good enough, those sorts of things.

17 And the final environmental impact
18 statement is the draft environmental impact
19 statement with a second volume which is all your
20 comments and our responses to those comments. And
21 that response may be your comment is without a
22 scope, it wasn't in scope so it wasn't in the
23 document. There may be, oh, that's a great comment,
24 that's good information, go back to section 2 of the
25 draft EIS and see how we changed it, and there will

1 be bold, striked-out changes in the document. So
2 when the final EIS comes out it will have all the
3 public comments and all the agency comments we
4 received and our responses to them, and those
5 responses may include revisions to the environmental
6 document.

7 Okay. Scoping. What am I here to do
8 today? I'm here to get public input. And there's
9 two things I'm trying to get public input on. What
10 issues and concerns do you have that you want to
11 make sure I cover in the environmental document?
12 And if you have an issue and a concern that you
13 don't think can be mitigated by any other means than
14 avoidance, I'm looking for alternative routes or
15 alternative route segments that will avoid that
16 impact.

17 We covered the environmental scope.

18 The environmental impact statement is a
19 written document that describes the human impact and
20 environmental impacts of the transmission line and
21 any alternatives that make it to the scope and the
22 methods to mitigate those alternatives. So that's a
23 definition of what the environmental impact
24 statement is.

25 To get to the main point of why I'm here

1 tonight, which is to solicit input from the public,
2 I put together, as I say, this draft scoping
3 document, which you can look at. If you go through
4 and you look at pages 5, bottom of 5 and 6, you'll
5 see what looks like a table of contents. And the
6 categories in this table of contents are pretty
7 broad. Archaeological and historical resources,
8 natural environment, air quality, water, plants, so
9 these are broad categories.

10 What I want to get from the public
11 tonight is what detail do you want me to cover, what
12 issues are you concerned. And an example on an
13 issue is, if you look at this draft scoping document
14 under 5.14 -- or 5.13, natural environment, flora,
15 plants, you may know from your local knowledge up
16 here from hiking the woods, from being outdoors,
17 from your work in the community, you may know that
18 there's a specific species, in this case I picked
19 Lapland buttercup, that inhabits that area. When
20 you look on the map of where the proposed route is,
21 you may say, well, I know there's this unique
22 feature, whether it be a unique plant like the
23 buttercup, or whether it be an ancient or old cedar
24 stand of trees, or a particular unique fen, some
25 issue that you want to make sure I cover in the

1 environmental impact statement. How will this route
2 as proposed impact that issue, that thing that
3 you're concerned about. So that's one of the things
4 I'm seeking tonight during the comment period, is if
5 you have those issues, make a comment, let me know
6 what those issues are.

7 The second thing I'm looking for tonight
8 is alternative route or route segments. If you have
9 an issue that you know that is along the route, say
10 a particular stand of trees or a particular historic
11 property, or something that you're not seeing in the
12 documents to date, in the application from the
13 applicant, and you want to make sure I'm aware of
14 it. And you're worried that it's not going to be
15 able to be mitigated if that transmission line goes
16 where it wants to go, that the only way to mitigate
17 that is to avoid it, go around it. So what I'm
18 seeking from you in this is what is the issue that
19 you want to mitigate and give me a proposed route or
20 route segment that goes around that.

21 And I'll run through some examples so you
22 can see what I mean. Before I run through the
23 examples I'll tell you what the rules require from
24 you. If you want to put an alternative route on the
25 table, you need to do two things. You need to

1 submit your request that this route alternative be
2 considered in the environmental document, why you
3 want that request. What are you trying to mitigate?
4 What is it? Is it that fen, is it that stand of
5 trees, is it some feature, unique feature about that
6 piece of property that the route goes through that
7 you think needs to be avoided. And then to provide
8 me all the supporting information. Any historical
9 information you may have, any knowledge you can
10 point to or tell me about that is unique about that
11 area.

12 And for an example -- I always find that
13 having the public come up with alternative routes is
14 a little confusing for the public because the bar is
15 kind of high. What I'm asking the public to do is,
16 one, tell me what you're trying to mitigate, show me
17 how you can mitigate it with an alternative route,
18 and give me your supporting information. For the
19 general public that can be a high bar, so I like to
20 give you some examples of what I've done and how
21 things have worked in the past.

22 If you see up here, this is a project
23 that was proposed from Tower to Embarrass. It was a
24 transmission line, a 115 transmission line that was
25 to travel down the east side of 135 in here in

1 Minnesota between Tower and Embarrass. When I went
2 out and did my scoping meeting and met with the
3 public and talked to them, there was a series of
4 landowners in this area that were concerned that the
5 proposed line was going to go across their private
6 property and between them and the road. And the
7 houses weren't set that far back from the road
8 because they don't want to plow all that in the
9 winter. So they felt that that was kind of
10 intrusive. And they knew, they had local knowledge
11 that showed that all the land behind these
12 properties was tax-forfeited land. So they said,
13 Bill, we would like you to consider an alternative
14 route that takes the transmission line, the proposed
15 transmission line off of private property and moves
16 it to this tax-forfeited property behind us. So
17 they're not coming to me and saying I don't want it
18 on my property, I don't want to look at it. What
19 they're saying is when an option exists of public
20 lands, why not choose public lands to cross rather
21 than private lands.

22 That made sense to me in this process and
23 this route was carried through to scope. These
24 routes, these alternative routes were evaluated in
25 the environmental document, and at the end, when the

1 Commission made their determination and made the
2 route for this segment, this alternative route, they
3 did require the utility to go across the public land
4 instead of crossing the private land.

5 Another example is another transmission
6 line. This is a transmission line down in the
7 Cities. There was an existing 69 kV line, a smaller
8 line, which is in purple here, that went through
9 Chaska, I believe this is. And there's a historic
10 property right here that some folks were concerned
11 about, that if they were going to upgrade that 69 kV
12 line to a larger line, a 115, it would have a wider
13 right-of-way, it would have power poles, it would
14 affect some of the trees in front of the historic
15 building, and it would just affect, they felt, the
16 historic nature of that property. So what they did
17 is they came to me and they said, Bill, we want you
18 to look at two alternatives. One, a route segment
19 alternative, and it's a route segment alternative
20 because you can see the light line here, that's the
21 route, the purple line is where the applicant, the
22 utility wanted to built the transmission line. The
23 citizens said, well, we have two options, Bill.
24 One, a route alternative that brings the line
25 outside the proposed route and down this way, and as

1 an alternative to that, a change in the alignment.
2 Don't move it out of the route, but just move it
3 across the street and back, okay. So this, the
4 reason they proposed this was they want to mitigate
5 the impacts to the historic property. That made
6 sense to me so I carried it through in my
7 recommendation to the scope to my commissioner. My
8 commissioner agreed to it, it made it into the scope
9 and it was fleshed out during the environmental
10 impact statement.

11 Now, when the Commission made their
12 determination at the end of this process, after
13 looking at the whole record, they did not feel that
14 the impact to the historic property was to a level
15 that would justify creating that new route so they
16 granted the applicant's request on that purple line.

17 So another example. This is another
18 transmission line, this one, for another project.
19 It was a new transmission line that was going to
20 travel east-west on the south side of this county
21 road, and the landowners along this road -- it
22 extends further out than this, I just cut out this
23 little bit so you can see it. The landowners along
24 this route felt that the transmission line would
25 impact less people, less homes, if they moved it

1 across the road to the north where it was all
2 corporate unused paper land. You know, for timber
3 harvest, paper land. Again, that made sense to me.
4 Again, I put that into my recommendation to my
5 commissioner for the scope, it made it into the
6 scope, it was evaluated in the environmental
7 document, and at the end the Commission felt that
8 that made sense and they did permit that
9 transmission line to the north side of that road.

10 Another example. Doing another
11 transmission line, the utility wanted to built a 115
12 line along the west side of this county road. There
13 was a citizen, a family, who had some generational
14 property next to the -- on the west side of that
15 road in which they had a memorial set up on the
16 property for a member of the family for an event
17 that occurred, and they made a memorial there and it
18 was just outside the right-of-way for that road,
19 okay. They asked me if I would consider looking at
20 a route alternative that moved that transmission
21 line to the east side of that road. That made sense
22 to me, it made it through scope, it carried it
23 through the environmental document, and it was
24 evaluated, the pros and cons of the proposed route
25 versus the alternative route. When this one went

1 through the process and got to the end decision the
2 Commission did not think that the impact or the
3 potential impact on that memorial site was great.
4 We went out there when we did the environmental
5 impact statement, we went out there and we did
6 measurements, did all the coordinates for it, had
7 all the distance so the Commission had all the
8 information about how far this memorial would be
9 outside the new right-of-way. And when the
10 Commission evaluated all that information, they
11 granted a permit as the utility wanted it, running
12 up the west side of that road, they did not feel the
13 impact raised to a level to that memorial where it
14 should be moved.

15 Another example. I promise, I think this
16 is my last one. This is another example where it
17 was a rebuild of a transmission line, going from 69
18 kV to 115 kV. There was a county road that used to
19 follow the transmission line. This is -- the purple
20 is the existing transmission line, the 69 line
21 that's going to be upgraded to a 115. Somewhere in
22 the past the county moved that road north, okay, but
23 the transmission line stayed here. The landowners
24 along this section of the transmission line said we
25 think it makes sense to realign that transmission

1 line to the county road. That made sense to me so I
2 carried it forward again in my recommendation to my
3 commissioner on scope, it made it into scope, it was
4 evaluated in the environmental document, and at the
5 end the Public Utilities Commission did agree and
6 they realigned the new transmission line to the
7 right-of-way of that road.

8 So these are some examples. I think
9 that's the last one. Yeah. Those are examples of
10 what I mean when I'm saying I'm looking for
11 alternatives. If you have an issue that you think
12 can only be mitigated by avoidance, I'm asking you
13 to work with me, work within the process, and to
14 come up with an alternative that'll avoid that
15 impact.

16 Again, it has to be a specific impact
17 that you're trying to mitigate. If you're simply
18 moving the impact from your property to somebody
19 else's property without avoiding or mitigating some
20 unique feature, that's not mitigating, that's just
21 moving the problem. And that won't carry much
22 weight when I evaluate it in the scoping document.

23 So certainly, when we get to the
24 question, I'll certainly help flesh that out. We do
25 have two GIS stations set up over here, if you want

1 to work with -- if you have a specific issue that
2 you know of now and you want to work with getting
3 some maps drawn up and getting some route
4 alternative segments to put into the record, we have
5 set up two GIS stations here, and MP and their
6 consultants will help you with that, we'll print out
7 a copy of that so it can get into the record.

8 So, again, the two things I'm looking
9 for: Issues and concerns you want me to cover in
10 the environmental impact statement, and alternative
11 route or route segments that you want me to
12 consider, okay. So that's what I want from the
13 public for the input.

14 I just wanted to let you know that I
15 don't do this in isolation. There are, as Dave
16 showed on his slide, there are downstream permits
17 that a utility may have to get if they do get
18 granted a route permit. They may need a permit from
19 the DOT to cross a highway, they may need a permit
20 from the DNR to cross public waters or public lands,
21 they may need a permit from the Pollution Control
22 Agency if they're going to disturb a significant
23 amount of soils.

24 These downstream agencies by rule, by
25 statute, by law are required to participate with me

1 in this process. So I seek these agencies' input
2 out. As I'm going through scoping with you, I'm
3 also trying to and working with the other agencies
4 to get them to give me their comments and their
5 concerns because they have concerns that are
6 specific to their mission and specific to their
7 permits that might be down the road.

8 Dave already covered what permits may be
9 existing down the road.

10 If you want information on the project
11 there are several ways that you can get information.
12 As Tracy laid out, the Public Utilities Commission,
13 they keep a very formal record, eDockets, it's
14 called. And you can find -- if you follow Tracy's
15 instructions, you can find tons of information in
16 there. The Department of Commerce, we also maintain
17 a website for each docket that we're working on that
18 we track comments on. Our website is set up I think
19 to be a little less for the professional advocate or
20 the attorney and more for the general public. I
21 think it's pretty user-friendly, you can find what
22 you're looking for. But all the information that's
23 generated, public comments, agency comments, the
24 scoping decision, the draft EIS, all the documents
25 that are generated will be posted on our website as

1 well as Tracy's eDocket website. And to make things
2 even a little more complex, since we have the DOE
3 with us, we also have a federal website which
4 mirrors the same information.

5 So the scoping period is open until
6 August 15. There's a little juxtaposition between
7 us and the feds, the later one counts, so if you
8 have comments that you want to make sure that I
9 consider for the scope of the environmental review
10 document, you need to have your comments to me by
11 August 15th. And as I said, you can U.S. mail me,
12 you can e-mail me, you can fax me, or you can get to
13 our website and make a comment there.

14 So one thing I do want to point out,
15 whether you make a comment to me or to Julie or on
16 my website or on the fed website, all the comments
17 will be shared and will be pooled, you know, it's
18 just you have multiple avenues to comment. You only
19 need to comment in one of those spots and you'll be
20 covered. So whatever is most convenient for you,
21 you only need to make the comment once.

22 Okay. So that's all my information for
23 tonight. What I'm going to do is get to the point
24 where I ask the public now to give me comments.

25 Remember, as you came in, I said fill the

1 yellow card out, I'll select from these people
2 first. Once I run out of cards, I'll do a show of
3 hands if there's any interest beyond that. What I
4 do ask is if I call your name, please come to the
5 mic, state and spell your name, and then ask your
6 question or make your comment. If you have a
7 question, I will direct it to -- if it can be
8 answered tonight, some questions can't be answered
9 and we'll consider that, we'll get the answer in the
10 record. But if you ask a question I will do my best
11 to either answer it myself, if it's a question for
12 me, Tracy, if it's pertinent to the process, MP if
13 it's pertinent to the project, DOE if it's pertinent
14 to the DOE.

15 So, with that, I'm going to start calling
16 on people.

17 David Leonhardt is the first person.
18 Step to the mic.

19 MR. DAVID LEONHARDT: Use that one or
20 that one?

21 MR. BILL STORM: That one.

22 MR. DAVID LEONHARDT: Which way am I
23 supposed to face?

24 MR. BILL STORM: Face the court reporter,
25 and try to speak slower than I do.

1 MR. DAVID LEONHARDT: All right. Yeah,
2 my name is David Leonhardt, that's
3 L-E-O-N-H-A-R-D-T. And I'm from Waskish. Do you
4 need the address? All right.

5 Okay. I guess I'd just like to make a
6 comment, if I could. So maybe I have to leave this
7 on here?

8 MR. BILL STORM: Be careful there, Dave.

9 MR. DAVID LEONHARDT: I'd like to face
10 the audience.

11 MR. BILL STORM: That's fine, as long as
12 the court reporter can hear you.

13 MR. DAVID LEONHARDT: Okay. As I
14 mentioned, my name is David Leonhardt, and I'm from
15 Waskish, I'm a member of the Waskish Town Board, and
16 I'm also the chairman of the citizen advisory
17 committee for the Big Bog State Recreation Area.

18 And we have had a couple of concerns down
19 there in the first meetings that I attended that the
20 power company sponsored. Some of the broader areas
21 that they had designated as a route, possible route
22 went right through the Waskish community, and that
23 presented a couple of problems. And one of our
24 concerns there was the fact that the power line
25 was -- that possibly could have gone in between the

1 Waskish airport and most of the farms in that area.
2 Which would have made a very -- which would have
3 been a real obstacle for the cropduster flying off
4 the Waskish airport to get to all the farms around
5 this area, you'd have to fly up over that power
6 line. And he makes about 1,500 takeoffs and
7 landings a year there at that airport, so that was
8 one of our concerns.

9 But now as they narrowed down the route,
10 now the alternative route, it's designated as an
11 alternative route now, I believe. Anyway, now it's
12 moved to the east and it's east of the
13 Beltrami/Koochiching County line. And at that point
14 there, there's only I think one farm that would be
15 on the opposite side, so that problem I think has
16 been alleviated. But just to bear that in mind,
17 that that was one of our concerns.

18 The other concern I have is relating to
19 the Big Bog State Recreation Area, is that, I don't
20 know, I suppose -- I hope everybody has been out on
21 the bog walk. Anyway, Ludlow Island, if anyone is
22 familiar with that term, is about seven or eight
23 miles north of Waskish, and that's where we have a
24 mile-long bog walk out there. It's an elevated
25 boardwalk that goes for one mile out into the bog.

1 And our concern there is that when we get out to the
2 terminus of the bog walk, it's going to be only
3 about a little over a mile from the place where the
4 power line would cross in front of that terminus.
5 So we would be able to see the power -- or we'd be
6 able to see the power line from there.

7 I thought probably that maybe the trees
8 might be tall enough to block it, but he assured me
9 over there when I went to the GIS station that we
10 would be able to see them. And so that's a real
11 problem for us, you know, it's a concern for us as
12 far as the park is concerned. Otherwise, the view
13 out there at the terminus of the bog walk is
14 completely pristine, there is no lights of any
15 towers or anything that you can see from out there.
16 And the only thing you can see is stars and we'd
17 like to keep it that way if we could.

18 So the interesting thing about this, and
19 I'd like to comment on this, if I could. When I
20 attended that first meeting at the power company,
21 then I suggested, my suggestion was, I said, why not
22 make this simple and follow the corridor that the
23 other power line that already exists goes through,
24 that goes down. Anyway, they said they would like
25 to do that, but they said they can't because of the

1 scientific and natural area designations that's been
2 placed on a huge area of this Big Bog.

3 And, anyway, that's the reason why they
4 have to get so close with this corridor to the
5 terminus of our bog walk, is the fact that that's
6 the only place where they can fit between two
7 scientific and natural areas.

8 And my question is, who designated all of
9 this area as scientific and natural, and why can't
10 they at least follow another corridor that already
11 goes through there anyway? But even though they
12 said no, they said even though the power line that
13 currently exists in there, they're not going to be
14 allowed to parallel that. And that seems strange to
15 me and it seems unreasonable.

16 So, but anyway, that's a question I'd
17 like to raise, is how many people are aware of the
18 fact that the huge area -- I don't have one of those
19 maps with me, I wish I would have -- how much of
20 this area out there of the Big Bog has all of a
21 sudden been declared out of bounds? Technically, a
22 lot of it you aren't even supposed to enter. And I
23 was wondering where does this designation come from,
24 who has authority to do it and who did it?

25 MR. BILL STORM: Thank you, David. I

1 can't answer your question as to when the SNA was
2 established relative to the transmission line. I do
3 know that SNAs are by rule and law prohibited sites.
4 The Commission can't site a transmission line
5 through an SNA. The information that you're looking
6 for on how that was set up, I do not have in my
7 head, I don't know that knowledge. We can certainly
8 commit to adding a paragraph or two in the EIS that
9 talks about what an SNA is and this particular
10 situation where we have a transmission line going
11 through an SNA now and the SNAs currently are
12 prohibited sites, we can flesh that sequence of
13 events, that history out for you in the
14 environmental document. That would make sense.

15 MR. DAVID LEONHARDT: Yeah. As far as
16 suggesting an alternate route, the line that
17 currently exists there, that one there is well out
18 of eyesight of the terminus, so if it could stay
19 close to that it would be no problem at all. So
20 that's why that, you know, that factor would enter
21 in there, is if they could at least follow that
22 corridor to get past the park there, that sure would
23 be a big benefit for us.

24 MR. BILL STORM: Again, thank you, Dave.
25 I comprehend what you're saying and I see the sort

1 of catch-22 that exists. The only thing I can tell
2 you at this point is the rules prohibit the
3 Commission from siting a transmission line through
4 the SNA. The only thing I can promise is, one, we
5 can flesh out the history of SNAs and the line
6 that's currently there so people have a better
7 understanding of why is that line there if you can't
8 have one through an SNA.

9 Alternatively, I could request that you
10 sit down with the GIS guys and put an alternative
11 segment on the table. You have until August 15th to
12 do this. These guys, I'm sure, would be glad to
13 work with you tonight on it. Maybe if we push that
14 line further away, if that's a possibility with an
15 alternative, that could be something that could at
16 least be evaluated.

17 MR. DAVID LEONHARDT: To me, the
18 alternative is very simple, just follow the other
19 line.

20 MR. BILL STORM: Well, if dogs could fly,
21 too. There's not much I can do about that. But I
22 can promise that we can flesh the issue out in the
23 environmental document. We can, in the
24 environmental document, try to represent some
25 rendering, if the transmission line goes in the

1 alignment that's anticipated, what they might look
2 like from the terminus, you know, we could do that
3 as part of the fact gathering that we're gathering
4 in the EIS.

5 Alternatively, I would strongly suggest
6 that you sit down and try to, with your folks, with
7 your folks who are concerned about that viewshed
8 issue with the bog, see if you can come up with an
9 alternative route segment that may avoid that. I
10 don't know the particulars on the ground yet of
11 this.

12 Jim, Dave, anybody want to speak to that
13 issue further?

14 MR. JIM ATKINSON: Yes. First of all, I
15 would like to state for the record that
16 Mr. Leonhardt's representation of the facts here are
17 very accurate. I think you've got a good handle on
18 what the circumstances are and why we were forced on
19 that alternative to go where it is. And, indeed,
20 there's a 23,000-acre SNA just to the north and east
21 of our alternative route in that area and our route
22 is actually immediately adjacent to it. So we're as
23 far over as we can go without actually impacting
24 that SNA. And there's another one to the west and
25 the south of there, too.

1 MR. DAVID LEONHARDT: When we were
2 working to establish the Big Bog SRA there, we
3 selected out -- decided on separating out 9,600
4 acres there that would be -- that would be the area
5 of the SRA of the state park. And that was -- we
6 made it there because it was right adjacent to a
7 scientific and natural area. So at that time that
8 was the only one that there was, it was on the west
9 side of the highway there, and we established the
10 park there right adjacent to that because it was a
11 good fit there right alongside of that. And then
12 now, when I attended that first meeting here, I saw
13 that the whole country there is just about all SRA,
14 or just about all a scientific and natural area.

15 MR. JIM ATKINSON: And the boardwalk does
16 terminate in an area where it is essentially
17 treeless, out in the open part of the bog, so the
18 viewshed goes out a long ways, I'm sure much further
19 than the transmission line would be away, so I think
20 it would be well within that.

21 MR. DAVID LEONHARDT: There wouldn't be
22 some way to establish that for certain, would there?

23 MR. JIM ATKINSON: There are ways, and we
24 actually are discussing developing a photo
25 simulation of what it would look like and so we plan

1 to do that.

2 MR. DAVID LEONHARDT: Thank you for the
3 opportunity to let me speak. I should have
4 acknowledged that to begin with.

5 MR. BILL STORM: Thank you, Dave. Next
6 up, Dick Myers. Please come to the mic, state and
7 spell your name for the court reporter and, again,
8 try to speak slower than I do.

9 MR. DICK MYERS: My name is Dick Myers, I
10 live at P.O. Box -- I live in Warroad, Minnesota,
11 Post Office Box 16. Is that all you need?

12 COURT REPORTER: I just need the spelling
13 of your last name.

14 MR. DICK MYERS: M-Y-E-R-S.

15 Just getting back, I thought what Dave
16 said, I think you better get with some politicians.
17 And you've already got a power line in that
18 scientific and natural area, you know, what's the
19 difference if you put another one alongside of it?
20 There must be someone that you can get to someplace
21 that can make a decision that would enhance the
22 thing.

23 I recognize the need for the power, and
24 thank goodness we have Manitoba who can generate
25 this power and give it to us. Unfortunately, those

1 of us that live up here have to put up with these
2 lines going through and we really don't get any
3 benefit. But that's the way things go.

4 My biggest problem is you're going to
5 follow the orange route south and then you're going
6 to branch off and go to the blue route, which you're
7 going to establish a new corridor when you go from
8 the orange route to the blue route. And you're
9 going to have a new right-of-way that's going to
10 ecologically, to me, going to disrupt the area.
11 It's a major area for timber wolves, fisher marten.
12 And I think, you know, you have two lines already,
13 the DNR's recommended you parallel those two lines,
14 and you can start -- south of Roosevelt, you can
15 start paralleling the blue line if you want, or you
16 can extend the orange line.

17 And all I got to say is that seems to me
18 that would be a lot better than a new corridor, a
19 new right-of-way, a new clear-cut area, and I'd like
20 to see you do that.

21 That's all I have to say.

22 MR. BILL STORM: Thank you, Dick.

23 Any comment on that at all from you
24 folks?

25 MR. JIM ATKINSON: Mr. Myers and I have

1 discussed this on a couple of occasions and I think
2 I understand his concerns and he knows why we
3 proposed what we have.

4 MR. BILL STORM: Okay. Thomas Beadle.
5 Please state and spell your name for the court
6 reporter.

7 MR. THOMAS BEADLE: Thomas, T-H-O-M-A-S,
8 Beadle, B-E-A-D-L-E. I live in Warroad, Minnesota.
9 And I own and use land in Potamo Township, Lake of
10 the Woods County.

11 Dave's point about paralleling is what I
12 think should be done, too. I think they should
13 parallel the existing lines. I don't think they
14 should cut any new corridors. I think in this day
15 and age I don't think there's any reason to disturb
16 the environment any more, there's several options
17 they can go with.

18 Let's see here, what have we got. I
19 think they should parallel on the orange route and,
20 if not, if they can't use the orange route, I think
21 they should go on the blue route and join it at
22 Roosevelt, south of Roosevelt.

23 As far as the new corridor goes, with the
24 land is close to where I own land and also land that
25 I use. And it's wetland, you know.

1 Also, it's hard to tell what the power
2 company wants to do. They have a proposed corridor
3 that's like this and they say they are only going to
4 use this much. So maybe they can move it, you know,
5 half a mile south, and then it wouldn't be -- it
6 wouldn't affect me. But I still think they should
7 parallel the existing corridors.

8 That's about all I have.

9 MR. BILL STORM: Thank you, Thomas.

10 MR. THOMAS BEADLE: It's Thomas.

11 MR. BILL STORM: Thank you, Thomas.

12 One thing I would like to say, and I
13 think Tracy touched on it a little bit, but we know
14 that the applicant has come to the Commission
15 requesting a route of -- a varying route, 3,000
16 feet, varying a little bit, and within that route
17 they would like to have a 200-foot easement along
18 their anticipated alignment. And they do state in
19 the application where their route is and where their
20 anticipated alignment is.

21 Historically, the reason that -- well,
22 utilities are given the latitude to ask for wide
23 routes when they only need a sliver of a
24 right-of-way is so that they have some flexibility
25 when it comes to building the route there, where the

1 rubber meets the road, and they run into maybe a
2 bedrock outcropping that they weren't aware of, or
3 they have a landowner who would rather have the line
4 go, instead of the front of his house, between the
5 road and his house, put it on the back 40.

6 So that's the rationale behind why you
7 see the rule allowing that to come in with a much
8 wider route than the right-of-way, than they'll
9 need. However, I want to qualify that statement by,
10 as Tracy noted, as you saw on my schedule, once the
11 draft EIS comes out and that comment period is
12 ongoing, there will be a public hearing. And that
13 public hearing will be up here in this area just
14 like the road show I'm doing this week and next
15 week, it'll be with an ALJ, an administrative law
16 judge who is from the Office of Administrative
17 Hearings, who will gather information, and that's
18 the time for the public to say, okay, I realize the
19 route's coming across my property, and I see the
20 anticipated alignment. I don't want the route, for
21 whatever your rationale may be, to be 3,000 feet
22 wide. I want a more clear idea of where that
23 alignment is going to go across my property. So I'm
24 requesting to the judge that when the permit comes
25 out, if they do pick a route that crosses my

1 property, that the permit states that where it
2 crosses the Jones property, the alignment will be
3 specified and this is what we've agreed to, you
4 know.

5 If you do that, you sort of are limiting
6 your flexibility in the future, then. But the
7 Commission can put conditions -- the Commission can
8 put conditions on a permit that do that, that
9 restrict that right-of-way to a known area, you
10 know. If there's some reason that there's some
11 unique feature or there's some reason that the route
12 should be shrunk down to almost or the exact width
13 of the alignment to help and to assure that whatever
14 this concern is is avoided. And you can make that
15 comment during the public hearings to the judge and
16 give your rationale for it, and the judge at the end
17 of the public hearings, end of the comment period,
18 he will assemble a report based on the entire
19 record -- not just the EIS, but the entire record,
20 and he'll make recommendations. And there have been
21 cases where the judge has recommended to the
22 Commission specific conditions relative to
23 alignments in a case and that has carried forward to
24 the Commission and the Commission has accepted it.
25 There's also been cases where the judge didn't feel

1 you made a case and that wasn't a recommendation of
2 his. But the public hearing is a good place to
3 bring up those type of issues, those alignment
4 issues.

5 MR. THOMAS BEADLE: I have one question.
6 Back to this scientific and natural area, is there
7 any kind of a variance you can apply for? I mean,
8 there's already a line there, you would think you'd
9 have a good case to put another one alongside of it.
10 Can you apply for a variance like you can in county
11 things here, you can apply for a variance?

12 MR. BILL STORM: One, I wouldn't be the
13 one applying for the variance because I'm just doing
14 the environmental review. Two, I'm not an attorney,
15 I don't know. I've never heard of anything like
16 that, the only thing I know is SNAs are prohibited
17 sites under the rules. You may want an attorney to
18 speak to that.

19 MR. DAVID MOELLER: I'm not sure I know.
20 I hear what you're saying, that's a process for
21 different zoning options, I don't know if it's
22 significant to there, we can check into that.

23 MR. THOMAS BEADLE: Sure. It would solve
24 a lot of problems.

25 MR. DAVID LEONHARDT: It sure would.

1 MR. DAVID MOELLER: I think the answer
2 would probably be no, because it's by rule and by
3 legislative requirements.

4 UNIDENTIFIED: Change the law, then.

5 MR. BILL STORM: Okay, if you discuss it
6 amongst yourselves, the court reporter isn't going
7 to capture it.

8 MR. DAVID MOELLER: It's a state rule.

9 MR. BILL STORM: But we can certainly
10 commit to, in the EIS, that discussion where we
11 flesh out what an SNA is and the history of the SNA
12 and that particular line that goes through it. We
13 can also flesh out anything like that that's never
14 been done or existed. I know of none of it. Okay?

15 Ross Dally. Ross, just as before, state
16 and spell your name, talk slower than me.

17 MR. ROSS DALLY: Ross Dally, D-A-L-L-Y.

18 I have a small problem, but I don't think
19 it's going to amount to anything. I have an old
20 place four miles straight south of here on the 230
21 line. The existing 230 line comes through there and
22 it jogs to the north of this whole farmstead that I
23 bought. And from looking at your maps, it looks
24 like if the new power line goes through, it'll go on
25 the south side of the existing 230 line. Is that

1 the way it goes?

2 MR. JIM ATKINSON: I'm just pulling that
3 up right now. Yeah, the intended centerline is
4 currently south of the existing 230 line.

5 MR. ROSS DALLY: So it wouldn't bother me
6 a bit. If you went north, I've got a bunch of trees
7 planted and it might bother me.

8 Okay. Yep, thanks.

9 MR. BILL STORM: Ross, I just want to
10 point out that your concern is a great concern to
11 bring up when we're up here for the public hearing,
12 to let the judge know that. And you may, depending
13 on how your conversation goes with MP as we move
14 towards the public hearing, you may want to
15 recommend to the judge or request from the judge
16 that the judge consider as a permit condition that
17 the alignment, where it crosses the area that you're
18 concerned about, where the anticipated alignment is
19 south of that line, that that become a permit
20 condition. That you want to make sure, take that
21 flexibility away, so that they have to be on the
22 south side of that line. And I would recommend that
23 when we get to the public hearing point that you
24 participate again and stress that that is something
25 you would like the judge to consider so that the

1 Commission can consider it.

2 MR. ROSS DALLY: Okay. Yep. Okay,
3 thanks.

4 MR. BILL STORM: Okay. I'm out of cards
5 so I'll go with a show of hands. Does anybody want
6 to speak on the record tonight? Any comments, any
7 considerations?

8 Okay. Remember you have until
9 August 15th to get your comments in to me. Again,
10 I'm looking for comments on issues you want me to
11 cover or concerns you want me to cover in the
12 environmental impact statement. Two, any
13 alternative route segments that you would like me to
14 consider in the environmental impact statement. And
15 remember, if you do have alternatives, you need to
16 state what it is you're trying to mitigate,
17 illustrate out your alternative to me and supply any
18 other supporting information you can on that.

19 Again, I appreciate everybody coming out.
20 My number and my information is here, it's on some
21 of the handouts. Throughout this whole process, if
22 you have a question, please feel free to call me if
23 you want to discuss something, if you need help
24 working out your comment or if you need help maybe
25 putting forth an alternative, please give me a call

1 and I can work with you on that.

2 Other than that, one more callout.

3 Anybody want to comment? Show of hands? Going
4 once, twice?

5 Okay. Thank you, everybody. I do
6 appreciate you coming out.

7 (Meeting concluded at 7:33 p.m.)

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